

NOTICES OF SUBSTANTIVE POLICY STATEMENTS

The Administrative Procedure Act requires the publication of substantive policy statements issued by agencies (A.R.S. § 41-1013(B)(14)). Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice. Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedure Act. If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

REGISTRAR OF CONTRACTORS

[M13-64]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
Title: Licensing Background Checks
Number: Substantive Policy Statement: 100
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
Issued and effective 5/6/2013
3. **Summary of the contents of the substantive policy statement:**
A.R.S. § 32-1122 authorizes the ROC to check criminal records of applicants and licensees. This substantive policy statement describes the types of criminal records that may cause a license to be denied.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
A.R.S. § 32-1122(D)
A.R.S. § 32-1122(H)
A.R.S. § 32-1154(A)(8)
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
This is a new substantive policy statement
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Tyler Palmer
Address: 1700 W. Washington St., Suite 105
Phoenix, AZ 85007
Telephone: (602) 771-6710
Web site: www.azroc.gov
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
Available online at www.azroc.gov

NOTICE OF SUBSTANTIVE POLICY STATEMENT

REGISTRAR OF CONTRACTORS

[M13-65]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
Title: Verifying Applicant's Current Financial Condition
Number: Substantive Policy Statement: 101
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
Issued and effective 5/6/2013
3. **Summary of the contents of the substantive policy statement:**

Notices of Substantive Policy Statements

A.R.S. § 32-1122(C) authorizes the ROC to check the current financial condition of applicants for commercial and swimming pool licenses. This substantive policy statement describes documents the agency accepts for reviewing an applicant's current financial condition.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. § 32-1122(C)

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a new substantive policy statement

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Tyler Palmer
Address: 1700 W. Washington St., Suite 105
Phoenix, AZ 85007
Telephone: (602) 771-6710
Web site: www.azroc.gov

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Available online at www.azroc.gov

NOTICE OF SUBSTANTIVE POLICY STATEMENT

REGISTRAR OF CONTRACTORS

[M13-66]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

Title: Independent Contractors and Employees
Number: Substantive Policy Statement: 102

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

Issued and effective 5/6/2013

3. Summary of the contents of the substantive policy statement:

This substantive policy statement discusses the ROC statutes applicable to contractor's decisions to hire independent contractors or employees. Licensees that hire employees must comply with laws governing social security, workers' compensation, unemployment insurance, income taxes, and withholding taxes. Licensees that hire independent contractors must hire only ROC licensed subcontractors.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

A.R.S. § 32-1154(A)
A.R.S. § 32-1164(A)
Lundy v. Prescott Valley, Inc., 110 Ariz. 362, 363, 519 P.2d 61 (1974)
Sobel v. Jones, 96 Ariz. 297, 300, 394 P.2d 415 (1964)
A.R.S. Title 23, Chapter 3, Article 4

5. A statement as to whether the substantive policy statement is a new statement or a revision:

This is a new substantive policy statement

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Tyler Palmer
Address: 1700 W. Washington St., Suite 105
Phoenix, AZ 85007
Telephone: (602) 771-6710
Web site: www.azroc.gov

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

Available online at www.azroc.gov.